



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

October 28, 2014

*Via electronic mail*  
Ms. Christy Gutowski  
Chicago Tribune  
cmgutowski@chicagotribune.com

RE: FOIA Request for Review – 2014 PAC 31313

Dear Ms. Gutowski:

This determination letter is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(c) (West 2012)). For the reasons that follow, the Public Access Bureau concludes that no further action on this matter is warranted.

On August 22, 2014, you submitted a FOIA request to the City of Urbana (City) seeking records pertaining to the investigation of the death of an infant. On August 28, 2014, the City denied that request pursuant to sections 7(1)(a), 7(1)(c), and 7(1)(d)(iii) of FOIA (5 ILCS 140/7(1)(a), (1)(c), (1)(d)(iii) (West 2013 Supp.), as amended by Public Act 98-695, effective July 3, 2014), as well as section 7.5(l) of FOIA (5 ILCS 140/7.5(l) (West 2013 Supp.), as amended by Public Act 98-756, effective July 16, 2014). On September 17, 2014, the Public Access Bureau received your Request for Review contesting that denial.

On September 19, 2014, an Assistant Attorney General in the Public Access Bureau contacted the City by telephone to clarify the basis for the City's denial. On September 22, 2014, the Assistant City Attorney responded that the responsive records were provided to a child death review team and that the proper citation for the confidentiality of materials provided to a child death review team is section 30(b) of the Child Death Review Team Act (20 ILCS 515/30(b) (West 2012)) (in conjunction with section 7(1)(a) of FOIA), rather than section 7.5(l) of FOIA.

Section 7(1)(a) of FOIA permits a public body to withhold "[i]nformation specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law." Section 30(b) of the Child Death Review Team Act

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provides: "Records and information provided to a child death review team and the Executive Council, and records maintained by a team or the Executive Council, are **confidential** and **not subject to the Freedom of Information Act** [citation], as provided in that Act." (Emphasis added.)

Because the City has confirmed that the responsive records were provided to a child death review team, and because section 30(b) of the Child Death Review Team Act specifically prohibits the City from disclosing such records, we conclude that the City properly denied your FOIA request pursuant to section 7(1)(a) of FOIA. Therefore, the Public Access Bureau has determined that no further action on this matter is warranted. If you have any questions, you may contact me at the Chicago address on the first page of this letter. This letter serves to close this matter.

Very truly yours,

  
JASH JONES

Assistant Attorney General  
Public Access Bureau

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cc: Ms. Michelle E. Brooks  
Assistant City Attorney  
City of Urbana  
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Urbana, Illinois 61801